



Crl.O.P.(MD) No.19003 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P (MD) No.19003 of 2022

P.Nagalingam

...Petitioner

VS

**1.The Superintendent of Police,
Sivagangai District.**

**2.The Inspector of Police
Kalayar Kovil Police Station,
Sivagangai District.**

3.Muthaiah

...Respondents

**PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to direct the second Respondent not to interfere with the civil
dispute in between the Petitioner and the third Respondent.**

For Petitioner : M/s.V.Sebastinal Preethi

**For R1 & R2 : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)**

For R3 : Mr.RM.Arun Swaminathan



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ORDER

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This Criminal Original Petition has been filed to direct the second Respondent not to interfere with the civil dispute between the Petitioner and the third Respondent.

2.The learned Counsel for the Petitioner would submit that the Petitioner had already filed a suit in O.S.No.51 of 2017 before the learned District Munsif, Sivagangai. Also, she invited the attention of this Court to the suit filed in O.S.No.51 of 2021 pending on the file of the Mahila Court, Sivagangai.

3.The learned Government Advocate (Crl.side) for the Respondents 1 and 2 would submit that the suit filed in O.S.No.31 of 2010 by the Petitioner was decreed on 12.09.2012, against which an appeal in A.S.No.116 of 2012 was preferred. The appeal was dismissed, against which, S.A.(MD) No.743 of 2015 was filed. That was also dismissed, vide order dated 07.06.2016.

4.The learned Counsel for the third Respondent would submit that the third Respondent had filed W.P.(MD) No.16758 of 2020 before this Court,



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which was ordered on 30.11.2020, directing the Respondents 1 and 2 therein to consider the representation of the Petitioner therein, the third Respondent herein. He would further submit that the Petitioner had instituted the second round of litigation only to harass the third Respondent, in whose favour up to the second appeal, the order of the Civil Court was confirmed.

5.In the light of the submissions made by the learned Counsel on either side, this Petition is disposed of with a direction to the third Respondent as well as the Petitioner to seek appropriate relief from the pending suit before the learned District Munsif, Sivagangai, in O.S.No.51 of 2017. The Petitioner is also directed to cooperate with the pending trial for early disposal of the suit. The learned District Munsif, Sivagangai, is directed to dispose of the application to be filed by the Petitioner, if any, within a period of two months from the date of filing of the petition.

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Internet:Yes/No

Index:Yes/No

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SATHI KUMAR SUKUMARA KURUP, J.

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To

- 1.The District Munsif,
Sivagangai.
- 2.The Judge,
Mahila Court,
Sivagangai.
- 3.The Superintendent of Police,
Sivagangai District.
- 4.The Inspector of Police
Kalayar Kovil Police Station,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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